

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|------------------------|---|------------------------------------|
| GARY CONWAY, |) | 3:19-CV-0128-MMD-CLB |
| |) | |
| Plaintiff, |) | <u>MINUTES OF THE COURT</u> |
| |) | |
| vs. |) | April 28, 2020 |
| |) | |
| KENNETH ELGAN, et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

PRESENT: THE HONORABLE CARLA BALDWIN, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Several motions are currently pending. The court will address each motion in turn.

ECF No. 9 – Motion to Add Defendant

By this motion, plaintiff seeks to reinstate the Esmeralda Sheriffs Office as a defendant (ECF No. 9). The Esmeralda Sheriff's Office was properly dismissed upon screening in the court's order ECF No. 6. Therefore, plaintiff's motion to reinstate this defendant (ECF No. 9) is **DENIED**.

ECF Nos. 10 & 11 – Request to the Court & Motion to Reissue Summons

Both motions request the court to reissue the summons and resend USM-285 forms which plaintiff mailed to Las Vegas in error. Plaintiff's requests (ECF No. 10 & 11) are **GRANTED**.

The Clerk shall ISSUE summonses for defendants **Kenneth Elgan, Matthew Kirkland, Jeremy Turek, and Chris Martin** and send the same to the U.S. Marshal. The Clerk shall also SEND sufficient copies of the complaint (ECF No. 7), the screening order (ECF No. 6), and this order to the U.S. Marshal for service on the defendants. The Clerk shall SEND to plaintiff sufficient USM-285 forms. Plaintiff shall have until **Friday, May 15, 2020**, to complete the USM-285 service forms and return them to the U.S. Marshal, 400 South Virginia Street, 2nd Floor, Reno, Nevada 89501.

If plaintiff fails to follow this order, the above-named defendants will be dismissed for failure to complete service of process pursuant to Fed.R.Civ.P. 4(m).

ECF Nos. 15 & 16 – Motion to Compel Discovery & Motion to Increase Number of Interrogatories

Plaintiff's motions ECF Nos. 15 & 16 are **DENIED** as premature. Service of process has yet to be completed in this case and no answer has been filed. A scheduling order will be issued by the court following the filing of a responsive pleading by the defendants. Discovery may not commence until the scheduling order is issued.

IT IS SO ORDERED.

DEBRA K. KEMPI, CLERK

By: /s/
Deputy Clerk